

Fiscal Note

Fiscal Services Division



SF 2251 – Driver's License Sanctions (DOT Bill #3) (LSB 5407SV)
Analyst: Jennifer Acton (Phone: 515-281-7846) (jennifer.acton@legis.state.ia.us)
Fiscal Note Version – New
Requested by Senator Keith A. Kreiman

Description

Senate File 2251 permits the Department of Transportation (DOT) to issue a temporary restricted license without requiring the Court to order the Department to do so.

Background

- There were 6,751 temporary restricted licenses issued in 2009.
- The Clerk of Court offices are currently staffed at 12.0% less than the Judicial Branch's staffing formula.
- The weighted caseload formula for judges indicates the Judicial Branch is staffed at 20 judgeships less than the identified need.
- Senate File 2251 retains the applicant's right for judicial review if the applicant disagrees with the DOT's determination.

Assumptions

- For a temporary restricted license, the clerks spend up to three minutes per application and the judges spend approximately five minutes per application.
- Under the current structure, the Courts receive the petition and give a copy to the DOT. The DOT reviews the application and determines whether the applicant is eligible and the terms. The DOT legal staff prepares the answer in accord with the DOT's eligibility determination and the Court signs the order. The order is sent to the DOT and the applicant must go to the licensing site for the issuance of a temporary restricted license.
- The hourly rate for a Clerk of Court is \$19.49.
- The hourly rate for a District Associate Judge is \$89.98.

Fiscal Impact

Senate File 2251 eliminates the need for court orders to trigger the DOT sanctioning procedures that will allow the Judicial Branch to spend additional time on other matters. The time saved equates to approximately 339 hours per year for the clerks and 565 hours per year for the judges. Because the Judicial Branch is currently below full staffing levels, this change does not provide cost savings to the Judicial Branch but rather a cost containment by allowing the Judicial Branch to shift resources to other priorities.

Sources: Department of Transportation and Judicial Branch

February 17, 2010

The fiscal note for this bill was prepared pursuant to **Joint Rule 17**. Data used in developing this fiscal note available from the Fiscal Services Division of the Legislative Services Agency upon request.
